

Exhibit B

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January 27, 2022

Via Email

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RE: *Underwood, et al. v. Coinbase Global, Inc.*,
1:21-cv-08353-PAE (S.D.N.Y.)

Dear Counsel:

I write in response to your correspondence dated January 26, 2022 ("Letter"). We will respond promptly but not by your unreasonable, unilaterally imposed deadline of 24 hours. We will provide a more detailed response on Monday, January 31, 2022.

For now, needless to say, we fundamentally disagree that an ordinary course of business email updating a user agreement constitutes improper *ex parte* communications with putative class members. Defendants may communicate with potential class members in the ordinary course of business provided that their communications are not false, misleading, or intimidating. *See Haider v. Lyft, Inc.*,

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No. 20-cv-2997 (AJN), 2021 WL 3475621, at *2 (S.D.N.Y. Aug. 6, 2021). That is precisely what was done here.

Nevertheless, in order for us to reply to your Letter, we do need more information than the conclusory claims that the User Agreement “would alter the parties’ rights and remedies in the Pending Litigation.” (Letter at 1, 2.) Please identify for us the specific provisions of the User Agreement you refer to in your Letter and the manner in which you believe that they would purportedly “alter the parties’ rights and remedies in the Pending Litigation.” We request that you respond tomorrow so that we can respond in kind on Monday. If you need more time to provide this information, of course let us know and we are more than willing to accommodate you.

We reserve all rights.

Sincerely,

/s/ Lara A. Flath

Lara A. Flath